

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, postal address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if multiple names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

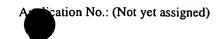
METHOD AND APPARATUS FOR SUB-NETWORK DEVICES WITHOUT DIRECT LAYER-2 COMMUNICATION AND COUPLED TO A COMMON FORWARDING AGENT INTERFACE TO COMMUNICATE THROUGH LAYER-3

| the specification of wh was filed on | ich is attached hereto unless the fo | llowing information is indicated | 1: |
|---|---|--|--|
| as United Star | es Application Number or PCT In ded on | | r; |
| | ve reviewed and understand the co by any amendments referred to all | | pecification, including |
| I acknowledge the duty | to disclose information that is ma | terial to patentability as defined | l in 37 CFR 1.56. |
| patent or inventor's ce country other than the application for patent of | priority benefits under 35 U.S.C. Intificate, or 365(a) of any PCT Integrated States, listed below and have inventor's certificate, or PCT In which priority is claimed. | ernational application which desve also identified, as so indicate | signated at least one d below, any foreign |
| Prior Foreign Applicat | ion(s) | | Priority Claimed |
| (Application No.) | (Country) | (Day/Month/Year Filed) | Yes No |
| I hereby claim the ben- | efit under 35 U.S.C. 119(e) of any | United States provisional appli | cation(s) listed below. |
| (Application No.) | (Day/Month/Year Filed) | | |
| International application the claims of this appli manner provided by the material to patentabilit | efit under 35 U.S.C. 120 of any Uron designating the United States, lication is not disclosed in the prior e first paragraph of 35 U.S.C. 112 y as defined in 37 C.F.R. 1.56 that ional or PCT International filing d | sted below and, insofar as the submitted States or PCT Internation, I acknowledge the duty to discusses became available between the | ubject matter of each of onal application in the close information that is |
| (Application No.) | (Day/Month/Year Filed) | (Status - patented, pendir | ng, abandoned) |
| I hereby appoint the fo | llowing attorney(s) and/or agent(s |) to prosecute this application a | nd to transact all |

DENNIS S. FERNANDEZ, REG. No. 34,160 IRENE H. FERNANDEZ, REG. No. 34,625

business in the United States Patent and Trademark Office connected therewith:





PETER C. Su, REG. No. 43,939

Send Correspondence and Communications to:

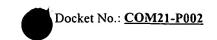
FERNANDEZ & ASSOCIATES, LLP
PATENT ATTORNEYS
1047 EL CAMINO REAL, SUITE 201
MENLO PARK, CA 94025
(650) 325-4999
(650) 325-1203: FAX
EMAIL: iploft@iploft.com

022877

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and beliefs are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

. M

| Full name of sole or first inventor: | | | | |
|---|---------|--|--|--|
| RANDALL WAYNE FREI | | | | |
| Inventor's signature | Date | | | |
| Raudy Fri | 5/31/00 | | | |
| Residence: | | | | |
| 856 GALLATIN DRIVE, #1, SANTA CLARA, CA 95051 | | | | |
| Citizenship: | | | | |
| UNITED STATES OF AMERICA | | | | |
| Postal Address: | | | | |
| SAME AS RESIDENCE | | | | |
| | | | | |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Application No.: (Not yet assigned)

Group No.: (Not yet assigned)

Filed: 6/14/ 2000

Examiner: (Not yet assigned)

Title:

Method and Apparatus for Sub-Network Devices Without Direct Layer-2

Communication and Coupled to a Common Forwarding Agent Interface to

Communicate Through Layer-3

Inventor(s):

Frei, R.

Assistant Commissioner for Patents

Washington, D.C. 20231

SUBMISSION OF VERIFIED STATEMENT TO ESTABLISH SMALL ENTITY STATUS

The attached statement is being submitted to establish small entity status in this

| | pplication atent |
|---------|---|
| by the | |
| N Sı | dependent inventor(s) 37 CFR 1.9(c) and 1.27(b) on-inventor supporting claim by another 37 CFR 1.9(c) and 1.27(b) mall Business Concern 37 CFR 1.9(d) and 1.27(c) onprofit Organization 37 CFR 1.9(e) and 1.27(d) |

Respectfully submitted,

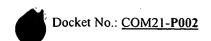
DENNIS S. FERNANDE

Reg. No. 34,160

FERNANDEZ & ASSOCIATES, LLP **PATENT ATTORNEYS** 1047 EL CAMINO REAL, SUITE 201 MENLO PARK, CA 94025

(650) 325-4999

(650) 325-1203 : FAX EMAIL: iploft@iploft.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: (Not yet assigned)

Application No.: (Not yet assigned)

| Filed on: | 6 14 2000 | Issued on: | (Not yet assigned) |
|--|--|--|---|
| Title: | DIRECT LAYER-2 COM | IMUNICATION AND | WORK DEVICES WITHOUT O COUPLED TO A COMMON OMMUNICATE THROUGH |
| Inventor(s): | FREI | | |
| <u>VERIFIE</u> | CD STATEMENT ((37 CFR 1.9(f) and 1.27 | | IALL ENTITY STATUS NESS CONCERN) |
| I hereby declare | that I am | | |
| the owner | of the small business concern | n identified below: | |
| X an official | of the small business concer | n empowered to act on | behalf of the concern identified below: |
| Name of Small C | | | • |
| | l Concern: sman Drive is, CA 95035 | | |
| provided in 37 C | FR 1.9(d), for purpose of pa | ying reduced fees to the | alifies as a small business concern, as e United States Patent and Trademark ose of its affiliates, does not exceed 500 |
| | that the rights under contract with regard to the invention | | veyed to, and remain with, the concern |
| the applica | ication filed herewith, with the tite in identified above. identified above. | tle and inventor(s) as li | sted above. |
| organization hav person, other that that person made | n the inventor, who would no | listed below and no rig ot qualify as an independern which would not o | this to the invention are held by any indent inventor under 37 CFR 1.9(c), it qualify as a small business concern |
| concern is listed | l below: | | ion in addition to the above identified |
| Address | X Small Business | | ization |
| | | | |

Verified Statement - Smarthity Page 2



I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further, that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Randy Frei Print Name of Person Signing

Chief Systems Architect, Com21, Inc.
Title of Person Signing

750 Tasman Drive, Milpitas, CA 95035 Address of Person Signing

SIGNATURE Kandy Fri Date 5/31/00